

October 7, 1935, from Denver, Colo., to San Francisco, Calif., by H. W. Pierce, from Denver, Colo., into the States of California and Washington, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of plant material, largely stems, with a small proportion of saltbush.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton of portion) "Diaplex * * * Diaplex for Diabetics * * * Use two to three heaping tablespoons full of Diaplex to each pint of water, then bring to a boil or percolate in a porcelain or eathern coffee percolator for ten minutes. * * * Always serve Diaplex fresh and hot (never luke warm or cold). A diabetic should drink at least two quarts of Diaplex daily, for from three to nine months. Also watch the urine test daily and you will be amazed at the results. * * * Persons using Diaplex with insulin should make the urine test daily, and as the pancreas increases its normal function, reduce the amount of insulin sufficiently to avoid insulin reaction. Only use enough insulin to take care of the surplus sugar, and eventually eliminate the insulin entirely. But continue the use of Diaplex until you are well and strong. Persons who have never used insulin, and not in coma, will find it unnecessary to do so. All that will be required is to adhere to a good diabetic diet and drink two quarts daily of Diaplex for a few months, and like thousands of others he too, will rejoice in the grand activity of good health and vigor"; (carton of remainder) "Diaplex * * * For those whose blood-sugar tests 125 M. M. per C. C. or over, use four heaping tablespoons of Diaplex to the quart of water and percolate ten to fifteen minutes. Always serve Diaplex hot, never ice cold or luke warm. Should the urine analysis show an increase of sugar, make blood test to determine cause. An Adult should use two quarts of Diaplex daily and a child one, for nine to eighteen months. Diaplex is a food and will never lower the blood sugar below normal. Therefore, a great amount is effective, small doses are worthless. * * * Notice Persons using Diaplex with insulin should make a urine test daily, and as the pancreas increases its normal function, reduce the amount of insulin sufficiently to avoid insulin reaction. Only use enough insulin to take care of the surplus sugar, but continue the use of Diaplex until you are well and strong. If we help you * * *."

No claimant having appeared in either case, a default decree of condemnation, forfeiture, and destruction was entered on November 19, 1935, in the district court for the Northern District of California, and on January 27, 1936, in the district court for the Western District of Washington.

W. R. GREGG, *Acting Secretary of Agriculture.*

25839. Misbranding of Hem-Roid. U. S. v. 432 Bottles of Hem-Roid, and two other libel proceedings against the same product. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 36617, 36667, 37819. Sample nos. 45577-B, 55210-B, 70498-B.)

The labeling of this product bore therapeutic and curative claims which were adjudged to be false and fraudulent.

On November 14, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 432 bottles of Hem-Roid at Chicago, Ill. On December 16, 1935, a libel was filed against 96 bottles of Hem-Roid at Denver, Colo., and on June 16, 1936, a libel was filed against 48 bottles of the product at Philadelphia, Pa. The libels alleged that the article had been shipped in interstate commerce, in various shipments on or about October 14 and 28, 1935, April 10 and May 8, 1936, and that it was misbranded in violation of the Food and Drugs Act as amended. Portions of the article were shipped by the Dr. Leonhardt Co., from Buffalo, N. Y., to Chicago, Ill., and Denver, Colo., and the remaining portion was shipped by the Walgreen Co., from Chicago, Ill., to Philadelphia, Pa.

Analysis showed that the article consisted essentially of extracts of plant drugs including aloe and nux vomica; a small amount of witch hazel was found in one sample.

The article was alleged to be misbranded in that the bottle label and carton bore and the circular enclosed in the package contained statements regarding the therapeutic or curative effects of the article; that the said statements falsely and fraudulently represented that the article was a palliative treatment for attacks of piles caused or aggravated by acute hepatic congestion, and,

in addition, carried tonic elements directed to helping Nature strengthen the involved tissues.

On February 1, February 14, and June 16, 1936, no claimant having appeared, default decrees of condemnation, forfeiture, and destruction were entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25840. Misbranding of Adams Vapour Ointment, Adams Menthol Salve, Adams Menthol Jell, and Adams Painon Liniment. U. S. v. 550 Jars of Adams Vapour Ointment, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 36636, 36637, 36638, 36639. Sample nos. 48045-B, 48046-B, 48047-B, 48049-B.)

False and fraudulent curative and therapeutic claims were made for these articles, and false and misleading antiseptic claims also were made for the menthol salve.

On November 22, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 667 jars of Adams Vapour Ointment, 910 jars of Adams Menthol Salve, 1,136 jars of Adams Menthol Jell, and 3,003 bottles of Adams Painon Liniment at Chicago, Ill., alleging that the articles had been shipped in interstate commerce on or about October 7, 1935, by the Adams Paper & Specialties Co., from Waterloo, Iowa, to Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act. The articles were labeled in part: (Jar) "Adams Vapour Ointment [or "Menthol Salve", "Menthol Jell", or "Painon Liniment"] Sold Exclusively by Adams Affiliated Cos. Waterloo."

Analyses showed that the vapour ointment consisted essentially of menthol, camphor, rosin, and petrolatum; that the menthol salve consisted essentially of menthol, rosin, and petrolatum (a bacteriological examination showed that it was not antiseptic); that the Menthol Jell consisted essentially of menthol, camphor, and white petrolatum; and that the Painon Liniment consisted essentially of petroleum oil, pine-needle oil, and sassafras oil.

The several articles were alleged to be misbranded in that the following statements appearing upon the labels of said articles of drugs, respectively, (Adams Vapour Ointment, jars) "* * * by increasing the circulation of the blood throughout affected area you will help to allay the inflammation and reduce the fever. * * * An Auxiliary Treatment for Certain Forms of Inflammation and Congestion such as Asthma Bronchitis Catarrh Chest Colds Sore Throat Croup * * * Boils * * * Pains"; (Adams Menthol Salve, jars) "Healing * * * for Cuts * * *"; (Adams Menthol Jell, jars) "Recommended for Nervous Headaches Muscular Rheumatism Nasal Catarrh * * *"; (Adams Painon Liniment, bottles) "Painon * * * Recommended by us in the treatment of Muscular Rheumatism, Lumbago, Stiff Neck, Neuralgic Headache, * * * Sciatica * * * Wind Colic, Muscular Cramp, Bronchial Cough, Spasmodic Croup, and Acute Pleurisy", were false and fraudulent in this that the said articles of drugs were not effective in the treatment of the diseases and conditions referred to therein.

The menthol salve was alleged to be misbranded further in that the following statement on the jar label thereof, "An * * * Antiseptic * * * Ointment", was false and misleading.

On February 3, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25841. Misbranding of Genuine Kompo Combined with Bile Salts Compound Tablets. U. S. v. 353 Bottles of \$1 size, and 1,186 Bottles of 50¢ size, of Genuine Kompo Combined with Bile Salts Compound Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36640. Sample no. 41733-B.)

False and fraudulent therapeutic and curative claims were made for this article and it contained active ingredients other than the one mentioned on its label.

On November 19, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of quantities of Genuine Kompo Combined with Bile Salts Compound Tablets at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about September 3 and 12, 1935, by the Ironized Yeast Co., Atlanta, Ga., from that place to New Orleans, La., and charging misbranding in violation of the Food and Drugs Act. The dollar and 50-cent bottles both were labeled in part: